

REMARKS

Reconsideration of this application is respectfully requested.

Examiners Tran and Faile are thanked for a courteous interview with the undersigned on February 8, 2001. A summary of the interview is included in the following remarks.

It is assumed that the Examiner intended to reject claims 12-14, 16, 17, 19-24, 26, 27 and 29-31 under 35 U.S.C. §102 as allegedly anticipated by Hendricks et al '195. It is also assumed that the Examiner intended to reject all remaining claims (15, 18, 25 and 28) under 35 U.S.C. §103 as allegedly being made "obvious" based on a combination of Hendricks et al '195 and Hendricks et al '297. Such grounds of rejection are all respectfully traversed.

It is respectfully submitted that the Examiner's analysis of these references and/or of applicant's claimed invention is erroneous in many respects. Applicant's claims have now been replaced by a new more focussed set of claims (in conjunction with a CPA request being concurrently filed in view of the "final" designation of the outstanding Office Action). However, in an attempt to help insure against continued misunderstanding, the applicant will nevertheless initially discuss at least some of the Examiner's errors with respect to the earlier claims 12-31. It is hoped that this initial discussion will facilitate a better understanding of the cited prior art and of the applicant's

described and claimed invention (e.g., when applicant's present more focussed new claims 32-55 are discussed below).

The Examiner alleges that all claims except claims 15, 18, 25 and 28 are anticipated by Hendricks '195. Hendricks '195 indicates that it is directed to a cable head end capable of handling both analog and digital TV signals. It appears that all programming video material (whether overlays or complete new video) must come via satellite down/up links while control signals come via a landline/modem...while the "improved" embodiment of Figure 11 does not seem to even have a landline/modem.

Thus, contrary to Examiner's allegations, Hendricks '195 does not teach or suggest transmitting any alternate program data to any remote site via an auxiliary bi-directional digital signal communication link. For example, this is not taught at column 20, lines 35-65 as alleged by the Examiner.

Furthermore, Hendricks '195 does not teach or suggest coordinating error correction of both control signals and alternate program data via the auxiliary bi-directional digital link. Column 14, lines 12-18, column 17, lines 14-30 or column 18, lines 1-20 cited by the Examiner do not support these allegations.

The Examiner's attempt to find interruption of the broadcast re-transmission while transmitting respectively corresponding alternate program signals locally generated from the control signals and/or alternate program data is based on column 22, lines 10-38. But

that portion of the reference is describing the special "improved" Figure 11 embodiment which does not even have any auxiliary control channel (i.e., no landline/modem).

The same deficiency is involved for the next two allegations made by the Examiner on page 3 of the action.

The undersigned also cannot find anything like claims 13 and 14 as alleged by the Examiner. Nor is there anything in Hendricks '195 about providing uplink data (via any channel of communication) as to whether corresponding locally generated video has actually been received and re-broadcast -- nor any uplinked reports of the results of a control process to a central site continuity studio (i.e., an error message is something else...and this is really all that is described at column 18, lines 1-10). Nor is there any operation or error report described (e.g., at column 13, lines 21-30 or column 17, line 42 through column 18, line 61).

As for the claims alleged to be "obvious", the Examiner's attempt to combine the Hendricks '927 and '195 teachings is flawed because there is no reason one would try to send control data over VBI line 21 in the Hendricks '195 environment. Hendricks '195 is directed to a cable head end capable of handling fully digital TV signals (e.g., MPEG-2) where there is no line 21 or VBI or the like in which it would make sense to add control signals within and as a part of regular broadcast TV program signals.

In any event, applicant has now cancelled claims 12-31 without prejudice or disclaimer in favor of new claims 32-55 -- which are hopefully more focussed on aspects of the invention which the Examiner will readily agree find no teaching or suggestion in either of the cited references (whether considered singly or in combination).

It will be noted, for example, that independent method claim 32 requires the separate generation and sending of respectively corresponding error-corrected digital overlay display data to each of plural remote television broadcast sites via a bi-directional digital signal communication link. Claim 32 also requires the generation and sending of common television program broadcast signals to each of those remote broadcast sites for re-broadcast. Claim 32 further requires the generation and sending of overlay control signals to each of the remote sites via non-display portions of the television program broadcast signals. Finally, claim 32 requires using those received overlay control signals at each of the said plural remote sites to locally generate and re-broadcast television signals therefrom which incorporate displayed images corresponding to the previously received digital overlay display data that was separately generated therefor in the first step of this method claim. Dependent claim 33 requires the digital overlay display data to include alpha-numeric character data and/or image data. Claim 34 requires different respectively corresponding digital overlay display data to be generated and sent to at least some of the remote broadcast sites. Apparatus claim 35-37 can be seen to be generally analogous to method claims 32-34.

Independent method claim 38 is also directed to a method for remote control of a distributed television broadcasting system. Here, the first step requires the generation of alphanumeric characters and/or image data separately for each of plural remote sites at a central site and the transmitting of such data therefrom to plural remote sites via a digital data communication link. Claim 38 further requires error-correcting such received data at the remote sites via that link. Claim 38 further requires generation and transmission of command codes within non-displayed portions of broadcast television signals to remotely control each of the remote sites from the central site. Claim 38 also requires converting the alphanumeric character/image data to local vision materials with a graphic generator at each of the local remote sites. Claim 38 also requires each remote site to overlay such local vision materials synchronously onto a continuing general television broadcast signal from the central site without cutting off the general broadcast television program being re-broadcast by the remote site. Finally, claim 38 requires detecting whether the local vision materials have been incorporated in the local re-broadcast (as intended) via the transmission of digital information sent back to the control site. Dependent claims 39-46 add yet further patentable distinctions. Apparatus claims 47-55 can seem to be analogous in many respects to the method claims 38-46.

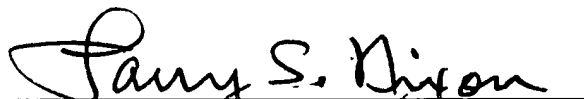
Accordingly, this entire application is now believed to be in allowable condition and a formal Notice to that effect is respectfully solicited.

ARAS
Serial No. 09/331,756

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

A handwritten signature in cursive script, reading "Larry S. Nixon", written over a horizontal line.

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